

## **REMARKS**

Applicant has studied the Office Action dated June 4, 2007. Claims 1-32 and 34-43 are pending in the application. Claims 1, 11, 26-31, and 34-38 have been amended and claim 33 has been canceled without prejudice. Claims 41-43 are new. Claims 1, 11, 26, and 31 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed. In particular, support for new claims 41-43 can be found at paragraphs [0008], [0031], and [0049] in the specification.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

### **Amendments to the Claims**

Claims 1, 11, and 26-31 have been amended to correct typographical or grammatical errors or to more clearly disclose and further distinguish the present invention from the cited references. Claims 34-38 have been amended to correct dependency in view of canceled claim 33. It is respectfully submitted that the amendments have support in the application as originally filed. In particular, support for "bonus title" and "root menu" in claims 1, 11, and 26 can be found at paragraph [0008] in the specification.

### **§ 102 Rejection**

Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Kikuchi et al. ("Kikuchi" US 6,532,334 B1). Applicant respectfully disagrees with the Examiner's interpretation of Kikuchi and respectfully traverses the rejection.

It is respectfully noted that a proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991).

It is respectfully noted that the Examiner asserts, at paragraph 1 of the Office action, that Kikuchi discloses the presently claimed invention as recited in claim 1. Specifically, it is respectfully noted that the Examiner's assertion is based upon disclosures in Kikuchi at column 9, line 65-column 10, line 2, indicating that the user menu can be written, at column 17, lines 12-13, indicating that the "titles" are reproduced, and in figure 3, showing video object set 80, which is allegedly corresponding to the first recording area of the present invention according to the Examiner.

It is respectfully submitted that the disclosures in Kikuchi indicated by the Examiner are merely scattered recitation of the individual elements recited in claim 1 of the present application. However, it is respectfully noted that the Examiner is silent about the relationship between the elements recited in Kikuchi. In particular, it is unclear as to how the user menu and the reproduced titles are related to the video object set 80, consisting of video object, picture object, and audio object, as shown in figure 3 of Kikuchi.

Therefore, it is respectfully submitted that the first recording area for recording data streams of a title domain and menu domain of the presently claimed invention is distinguished from the combined disclosure of the user menu, reproduced titles, and the video object set 80, by Kikuchi in the absence of clear relationship between them. In addition, claim 1, as amended, recites that the title domain comprises a plurality of titles including a main title and a bonus title, and the menu domain comprises a root menu. It is respectfully submitted that Kikuchi fails to disclose or suggest "said title domain comprising a plurality of titles including a main title and a bonus title, and said menu domain comprising a root menu" as recited in claim 1.

Accordingly, it is respectfully asserted that claim 1 is allowable over the cited reference.

#### § 103 Rejections

Claims 2, 26, 27, 28, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi in view of Tsumagari et al. ("Tsumagari" US 2003/0161615 A1). This rejection is respectfully traversed.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court recently stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

“In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. ‘A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.’ If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned.” (citations omitted.)

With regard to the rejection of claim 2, it is respectfully noted that the Examiner asserts, at paragraph 2 of the Office action, that although Kikuchi fails to teach a resume command for designating a title in the title domain, when a playback operation is returned from the menu domain to the title domain, Tsumagari teaches, at paragraph [0025], that “playback operation is resumed from the menu domain to the title domain” as recited in claim 2.

Tsumagari discloses a DVD-Video player with a video playback engine, which plays back video contents of DVD disc, and an ENAV engine, which plays back ENAV (enhanced navigation) contents of the DVD disc. In particular, Tsumagari discloses that ENAV engine of the DVD-Video player can stop execution of display, and return to a wait state, while DVD-Video playback engine can resume title playback (paragraph [0225]).

However, Tsumagari fails to disclose or suggest a recording medium comprising playback control information for resuming playback operation from the menu domain to the title domain as in the presently claimed invention. Therefore, Tsumagari fails to cure the deficiencies of Kikuchi, contrary to the Examiner's assertion.

With regard to the rejection of claim 26, claim 26 as amended recites “title domain comprising a plurality of titles including a main title and a bonus title, and said menu domain comprising a root menu.” However, Kikuchi and Tsumagari, independently or in combination, fail to disclose or suggest titles including a main title

and a bonus title and menu domain comprising a root menu as recited in claim 26 of the present application. Therefore, the cited combination of references fails to arrive at the presently claimed invention as recited in claim 26.

Accordingly, it is respectfully asserted that independent claim 26 is allowable over the cited combination of references. It is further respectfully asserted that claims 27, 28, and 30, which depend from claim 26, also are allowable over the cited combination of references.

Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi and Tsumagari, and further in view of Kim et al. ("Kim" US 7,113,694 B2). This rejection is respectfully traversed.

It is respectfully noted that the Examiner asserts, at paragraph 3 of the Office action, that although Kikuchi and Tsumagari fail to teach a navigation pack start address, Kim teaches the navigation pack start address.

As discussed above, the combination of Kikuchi and Tsumagari fails to arrive at the presently claimed invention as recited in claim 26. However, since Kim, which has been cited for disclosing a navigation pack start address, cannot cure the deficiencies of claim 26 with regard to the titles including a main title and a bonus title and menu domain comprising a root menu, it is respectfully asserted that claim 29, which depends from claim 26, is allowable over the cited combination of references.

Claims 11, 13, 21, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono (US 6,914,863 B2) in view of Tsumagari, and further in view of Yasuda et al. ("Yasuda" US 5,999,694). This rejection is respectfully traversed.

With regard to the rejection of claims 11 and 21, it is respectfully noted that the Examiner asserts, at paragraph 4 of the Office action, that Ono teaches "a method for controlling playback of audio-video data recorded on a recording medium, the method comprising: confirming playback control information for designating a title in a title domain having system parameters comprising identification information indicating that the first title is resumable," citing abstract and column 1, line 44-column 2, line 11 of Ono.

Applicant respectfully disagrees with the Examiner. Ono discloses a method of preventing lock of “resume play” function in a DVD video player. Specifically, Ono discloses extracting a parameter indicating a reproducing position in reproducing and storing or saving the reproducing position into a reproducing parameter storage unit of nonvolatile memory in a DVD video player (figure 1 and column 1, line 44-column 2, line 11).

In contrast to the disclosure of Ono, claim 11 as amended recites “searching for and confirming first playback control information recorded on the recording medium for designating a first title in a title domain having system parameters comprising identification information indicating that the first title is resumable.” Therefore, it is respectfully submitted that Ono fails to disclose or suggest the presently claimed invention as recited in claim 11 because Ono discloses only saving, referring to, and interpreting the contents of the parameter in the reproducing parameter storage unit of the DVD player, rather than searching for and confirming first playback control information recorded on the recording medium as recited in claim 11.

In addition, claim 11 as amended also recites “title domain comprising a plurality of titles including a main title and a bonus title, and the menu domain comprising a root menu.” However, Ono and Tsumagari, independently or in combination, fail to disclose that the titles include a main title and a bonus title, and the menu domain comprises a root menu as recited in claim 11.

It is further respectfully noted that Yasuda has been cited by the Examiner for teaching searching for the playback control information at column 16, lines 13-20 because the Examiner considers that the sector address where the reproduction stops in Yasuda to be equivalent to the control information of the present invention.

However, in view of the above discussion of Ono and Tsumagari, it is respectfully submitted that Yasuda fails to cure the deficiencies of Ono and Tsumagari with regard to the titles including a main title and a bonus title, and the menu domain comprising a root menu.

With regard to the rejection of claim 22, it is respectfully noted that the Examiner asserts, at paragraph 4 of the Office action, that Ono teaches “the identification

information is included in system parameters of each of the plurality of titles in the title domain" citing column 3, lines 30-49 of Ono.

Applicant respectfully disagrees with the Examiner. As discussed above, in Ono, the parameters are stored in the DVD video player (column 3, line 34), not in the recording medium as in the presently claimed invention. In addition, Ono also fails to disclose a plurality of titles in the title domain in contrast to the presently claimed invention as recited in claim 22.

Therefore, as discussed above, even if the Ono, Tsumagari, and Yasuda references are combined, they fail to arrive at the presently claimed invention. Accordingly, it is respectfully asserted that independent claim 11 is allowable over the cited combination of references. It is further respectfully asserted that claims 13, 21, and 22, which ultimately depend from claim 11, also are allowable over the cited combination of references.

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono, Tsumagari, and Yasuda, and further in view of Kim. This rejection is respectfully traversed.

As previously submitted, claim 11 is allowable over Ono, Tsumagari, and Yasuda. It is respectfully submitted that Kim fails to cure the deficiencies of Ono, Tsumagari, and Yasuda with regard to searching for and confirming the first playback control information recorded on the recording medium and the titles including a main title and a bonus title, and the menu domain comprising a root menu as recited in claim 11. Therefore, claim 11 is allowable over the asserted combination of references. Claims 17-20 depend from claim 11 and are in condition for allowance by the virtue of their dependence from an allowable base claim.

Claims 31-36 and 39-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono in view of Tanaka et al. ("Tanaka" US 6,782,192 B1). This rejection is respectfully traversed.

With this paper, claim 33 has been canceled without prejudice. It is, therefore, respectfully submitted that the rejection is moot with respect to claim 33 and it is respectfully requested that the rejection be withdrawn.

With regard to the rejection of independent claim 31, it is respectfully noted that the Examiner asserts, at paragraph 6 of the Office action, that Ono teaches "A method of resuming playback of audio/video (A/V) data recorded on a recording medium, the method comprising: determining resumable status of a first title recorded on the recording medium; resuming playback of the first title if the resumable status is equal to a first value," citing column 2, lines 1-11, figure 12, step 12-6 start resume play, and column 9, lines 15-19 of Ono.

Applicant respectfully disagrees with the Examiner. As discussed above, Ono discloses a method of preventing lock of "resume play" function in a DVD video player. Specifically, Ono discloses a "resume play" function of the DVD video player which has stopped due to a scratch on a disc when turning power of the DVD video player on to reproduce the DVD video continuously from the stopped position at the turn-off time (column 1, lines 26-40).

Therefore, the presently claimed method of resuming playback of A/V data recorded on a recording medium is clearly distinguished from the method of Ono because the resuming in the inventive method does not involve turning the player on and off as in Ono and resumes playback of the first title once playback of a bonus title associated with the first title is concluded, not when the DVD player is "turned on" after the reproduction of the DVD video has stopped due to the scratch on the disc as disclosed at column 1 in Ono.

It is further respectfully noted that the Examiner asserts, at paragraph 6 of the Office action, that although Ono fails to teach a bonus title, Tanaka teaches a bonus title, citing column 4, lines 7-8 of Tanaka, which recites "the second information representing a second group of audio titles containing bonus information." It is also respectfully noted that the Examiner concludes that it would have been obvious to playback the bonus title taught by Tanaka in the system of Ono and determine the resumable status and playback the first title once the playback of a bonus title associated with the first title is concluded to enhance the system's reliability.

Applicant respectfully disagrees with the Examiner. It is noted that Tanaka discloses an information recording medium having a recording area. Specifically, Tanaka discloses that the recording area stores a plurality of information, including plural tunes, audio titles containing bonus information, and interactive data for permitting an access to the bonus information (column 1, lines 56-67). It is noted that the bonus information in Tanaka is bonus tunes, which are provided in addition to normal tunes (column 3, lines 62-64). Therefore, Tanaka discloses merely a recording medium including bonus tunes. It is submitted that the bonus title of the present invention, which is associated with the first title recorded on the recording medium, is distinguished from the bonus information of Tanaka, which is merely bonus or extra tunes. In addition, the bonus title in the inventive method is not limited to an audio title.

Therefore, Tanaka fails to cure the deficiencies of Ono with regard to determining resumable status of a first title recorded on the recording medium, once playback of a bonus title associated with the first title is concluded. It is respectfully asserted that independent claim 31 is allowable over the cited combination of references. It is further respectfully asserted that claims 32, 34-36 and 39-40, which ultimately depend from claim 31, also are allowable over the cited combination of references.

Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi. This rejection is respectfully traversed.

Claims 3-5 ultimately depend from claim 1 and are in condition for allowance by the virtue of their dependence from an allowable base claim.

Claims 6-9 and 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi in view of Ono. This rejection is respectfully traversed.

With regard to the rejection of claims 6 and 8, Ono is discussed above. It is further noted that Ono discloses "storing reproducing parameters of the DVD player" at column 3, line 34. Therefore, the "system parameters" in the title of the inventive recording medium are distinguished from the "reproducing parameters" disclosed in Ono, which are stored in a controller of the DVD player, rather than a recording medium



as in the presently claimed invention. Thus, Ono fails to cure the deficiencies of Kikuchi with regard to the plurality of system parameters.

With regard to the rejection of claims 23, 24, and 25, it is respectfully submitted that Ono fails to cure the deficiencies of Kikuchi with regard to a plurality of titles including a main title and a bonus title, and the menu domain comprising a root menu recited in claim 1.

Accordingly, claims 6 and 8 are allowable over the cited combination of references. Further, claims 7 and 9, which depend from claims 6 and 8, respectively, and claims 23-25, which depend from claim 1, also are in condition for allowance by the virtue of their dependence from an allowable base claim.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi and Ono, and further in view of Kim. This rejection is respectfully traversed.

It is respectfully noted that the Examiner asserts, at paragraph 9 of the Office action, that although Kikuchi and Ono fail to teach a navigation pack start address, Kim teaches the navigation pack start address at column 10, lines 50-58.

As discussed above, the combination of Kikuchi and Ono fails to arrive at the presently claimed invention as recited in claim 1. However, since Kim, which has been cited for disclosing a navigation pack start address, cannot cure the deficiencies of claim 1 with regard to the titles including a main title and a bonus title and menu domain comprising a root menu, it is respectfully asserted that claim 10, which ultimately depends from claim 1, is allowable over the cited combination of references.

Claims 12, 15, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono, Tsumagari, and Yasuda, and further in view of Kikuchi. This rejection is respectfully traversed.

Claims 12, 15, and 16 ultimately depend from claim 11 and are in condition for allowance by the virtue of their dependence from an allowable base claim.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono, Tsumagari, and Yasuda, and further in view of Kim. This rejection is respectfully traversed.

Claim 14 depends from claim 11 and is in condition for allowance by the virtue of their dependence from an allowable base claim.

Claims 37 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono and Tanaka, and further in view of Kikuchi. This rejection is respectfully traversed.

As discussed above, the combination of Ono and Tanaka fails to arrive at the presently claimed invention as recited in claim 31. However, since Kikuchi, which has been cited for disclosing a program chain command and a mapping table associated with a program chain command, cannot cure the deficiencies of claim 31 with regard to determining resumable status of a first title recorded on the recording medium, once playback of a bonus title associated with the first title is concluded, it is respectfully asserted that claims 37 and 38, which depend from claim 31, are allowable over the cited combination of references.

In view of the above arguments, it is respectfully asserted that the Examiner has failed to establish a prima facie case of obviousness, and therefore, it is respectfully requested that the Examiner withdraw the rejection.

#### New Claims

With this paper, new claims 41-43 have been added. It is respectfully asserted that claims 41-43, which depend from claims 1, 26, and 31, respectively, are allowable for the same reasons given herein with regard to claims 1, 26, and 31.

## CONCLUSION


In view of the above remarks, Applicant submits that the present application is in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

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